

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

GEORGE L. TYUS, IV,

Plaintiff,

Civil No. 11-1773 (PJS/AJB)

v.

OWB REO, LLC; ONEWEST BANK,
FSB; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
SHAPIRO & ZIELKE, LLP,

ORDER

Defendants.

George L. Tyus, IV, 403 Totem Road, Saint Paul, MN 55119, pro se.

Hailey A. Harren and Thomas P. Melloy, **GRAY PLANT MOOTY MOOTY & BENNETT, PA**, 1010 West Saint Germain, Suite 500, Saint Cloud, MN 56301, for defendants OWB REO, LLC, OneWest Bank, FSB, and Mortgage Electronic Registration Systems, Inc.; Lawrence P. Zielke, Amanda M. Govze, and Kristine M. Spiegelberg Nelson, **SHAPIRO & ZIELKE, LLP**, 12550 West Frontage Road, Suite 200, Burnsville, MN 55337, for defendant Shapiro & Zielke, LLP.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated October 25, 2011, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that:

1. Defendants Mortgage Electronic Systems, Inc., OWB REO, LLC, and OneWest Bank, FSB's Motion for Judgment on the Pleadings, Motion to Vacate Order [Docket No. 15] is **GRANTED** in part, **DENIED** in part. The Motion to Dismiss is granted, the Motion to Vacate the state order is denied;

2. Defendant Shapiro & Zielke, LLP's Motion for to Dismiss/General [Docket No. 21] is **GRANTED**;

3. The case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 11/21/11

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge